

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JAMES LARRY HARRIS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 2:07cv508-WHA
	)	
THE HARTFORD,	)	
	)	
Defendant.	)	

**ORDER**

No objection having been filed by the Plaintiff by July 13, 2007, to the Defendant's Motion to Dismiss and Motion to Strike Plaintiff's Claims for Extra-Contractual Damages (Doc. #4), it is hereby

ORDERED that the motions are GRANTED, and Plaintiff's state law claims and claims for extra-contractual damages are DISMISSED and STRICKEN as preempted by ERISA.

It is further ORDERED that the Plaintiff is given **until August 8, 2007**, to file an Amended Complaint stating claims under ERISA, if he chooses to do so. If no Amended Complaint is filed by that time, the case will be dismissed.

DONE this 18th day of July, 2007.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE